

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
EUGENE DIVISION**

Elizabeth HUNTER; et al., on behalf of)	
themselves and all others similarly situated,)	
)	Civil Action No. 6:21-cv-00474-
Plaintiffs,)	AA
v.)	
)	DECLARATION OF TRISTAN
U.S. DEPARTMENT OF EDUCATION and)	CAMPBELL
Suzanne GOLDBERG, in her official capacity as)	
Acting Assistant Secretary for Civil Rights,)	
U.S. Department of Education,)	
)	
Defendants.)	

I, Tristian Campbell, declare:

1. I am over 18 years of age and have personal knowledge of the matters stated in this declaration and would testify truthfully to them if called upon to do so.
2. I am a resident of Belmont, Massachusetts, located in Middlesex County.
3. I am a bisexual man.
4. I grew up in Edmond, Oklahoma outside of Oklahoma City.
5. I attended K-12 at Oklahoma Christian School, a non-denominational school.
6. I grew up non-denominational but then became very involved in a Southern Baptist church in high school.
7. During high school, I considered myself to be struggling with the sin of same-sex attraction.
8. Beginning in August of 2013, I became a student at Oklahoma Baptist University (hereinafter “OBU”) in Shawnee, Oklahoma.
9. I stopped attending OBU without graduating in December of 2015.
10. I attended OBU for a few reasons. At the time of my enrollment, I was a member of the Southern Baptist Church. Additionally, the school is well regarded in Oklahoma, where I grew up and had a lot of connections. Finally, I was offered a scholarship and the ability to play college soccer at OBU.
11. OBU receives taxpayer funding through student aid from the U.S. Department of Education. I received public funding to attend OBU from the State of Oklahoma through the Oklahoma Academic Scholars Program.

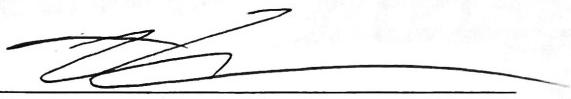
12. The IRS treats OBU as a tax exempt charitable organization.
13. OBU's student handbook outlines rules of behavior for students. This handbook contains a specific section for "human sexuality".
14. The section states, in part, "This policy addresses transsexualism, transgenderism, homosexuality, and related gender identity issues. The University affirms that God's original and ongoing intent and action is the creation of humanity manifested as two distinct sexes, male and female. The University also recognizes that due to sin and human brokenness, human experiential perception of sex and gender is not always that which God the Creator originally designed."
15. The handbook goes on to state: "the University does not support nor affirm the resolution of tension between one's biological sex and one's experiential perception of same sex attraction or of gender by the adoption of psychological identity discordant with one's birth sex. Similarly, the University does not support nor affirm attempts to change one's given biological birth sex via medical intervention in favor of the identity of the opposite sex or of an indeterminate identity."
16. At the time of my enrollment, I was generally aware that OBU opposed non-heterosexual, cisgender identities and behaviors. However, at the time, these positions were consistent with my belief system and my attempts to overcome my same-sex attraction. I thought the policies actually affirmed the steps I was taking.
17. In high school and through my first two years of college, I tried to overcome my struggle with same-sex attraction through prayer, reading books and self-discipline. I constantly thought about my struggle. My mental health started deteriorating and I made no progress toward overcoming my attractions despite my several years of intense efforts.
18. A defining moment for me and my sexual identity development occurred when a young middle school student who I was working with through church told me he struggled with same-sex attraction. I told him the church could help and recommended that he do all the things that I was doing to overcome my sin struggle. But I knew that I was giving this youth dangerous, false advice and it troubled me.
19. Also prior to coming out, my Resident Director on campus told me that he couldn't trust a gay student who wanted to be an RA because he thought he might take advantage of the boys on his floor. This scared me because he didn't know about my sexuality.
20. After this discussion, my anxiety came back hard. I knew that I needed help and reached out to the counselling center.
21. I first came out as bisexual to my therapist during my Sophomore year in the spring of 2015. I felt a huge weight lifted. It was the best that I had ever felt. Recognizing that being bisexual was not just an attraction but was part of my identity felt liberating for me.
22. I came out to friends in the summer of 2015. This was very good for my mental health.

23. Marriage equality occurred in June of 2015 and I wrote an article trying to reconcile my Southern Baptist faith with the Supreme Court's decision about civil same-sex marriage.
24. The Director of Residential Life at OBU called me in response to this article. He told me that my article was not in line with OBU's position. I was more careful about my public comments about sexuality after that for awhile but got in trouble for another social media post on sexuality issues and removed my post.
25. My coming out experience at OBU received two very different reactions. On the one hand, the majority of the faculty and students who I came out to privately were openly supportive or didn't seem to think it was a major issue.
26. However, on the other hand, the OBU administration condemned me and disciplined me.
27. The issue rose to a head when the Director of Residence Life asked me why I cared so much about the LGBTQ+ issues I was writing about. I told him that I cared so much because I am bisexual.
28. As a result of my coming out, I was fired from my on-campus job as a Resident Assistant. The Dean of Students told me that OBU's policies prohibited me from serving as an RA because I am bisexual.
29. The Dean of Students asked me if I was going to come out publicly on campus. He then told me that the student handbook prohibited me from doing so.
30. The Dean of Students also told me that other LGBTQ+ students who had come out publicly at OBU had been harassed, called "fag" and experienced unsafe situations. He told me that what he was trying to say is that if I came out publicly and remained a student at OBU, he couldn't guarantee my safety and did not want to have students there who he could not keep safe.
31. I decided to come out publicly on campus anyway. I did so for my own integrity and mental health and for the sake of other LGBTQ+ youth. On National Coming Out Day in October of 2015, I came out publicly on social media.
32. Shortly thereafter, because of my coming out to the OBU administration and publicly on social media, I was dismissed from OBU without any notice. I found out because the registrar told me that I had been administratively withdrawn from OBU and asked where I would like my transcripts to be sent. I checked my online student account and I could no longer register for classes.
33. OBU forced me to choose between my own beliefs and convictions about myself, my identity and what was best for my mental health and OBU's beliefs and convictions about me and my identity, which were harmful to me.
34. I felt betrayed because the OBU community in general was supportive and open-minded towards me.

35. OBU's policies harmed me in other ways. While a student at OBU, I was physically assaulted by a same-sex romantic partner on campus.
36. We had been dating for a few months at the time. It was a first same-sex relationship for both of us.
37. We got in a verbal fight and he then hit me in the face.
38. We broke up after the assault.
39. We had a class together. Because I could not report the assault, I could not have him separated from me and had to see him two days a week for an hour and a half during class. I also had to see him in my housing situation because we lived in the same dorm.
40. Neither of us were out at the time. I was too scared to report the assault because it would have outed him and would likely have subjected me to further monitoring by the administration or disciplinary action. My partner could have lost his job because he was employed by OBU. His family was also strongly opposed to him being gay and it would have hurt his relationship with his family.
41. If my partner had been a different gender than me, I would have reported this assault.
42. The experience of being rejected by OBU after I came out, caused me a lot of stress, sadness and anxiety. This was the lowest point for me since I had come out.
43. When I was fired and expelled, I transferred to a regional university and lived with my parents. However, when I tried to transfer churches, they rejected me because of my sexual identity and refusal to adopt an anti-LGBTQ doctrinal position.
44. However, I later co-founded Bison 4 Equality, an LGBTQ+ group of OBU students and alumni that we had started to put together while I was still a student. The purpose of the group was to ensure that queer and trans students would be safe and protected.
45. In that capacity, I have learned firsthand that other LGBTQ+ students at OBU have and continue to suffer under OBU's discriminatory policies. Queer and trans students have lost scholarships, been removed from sports teams and been harassed, even when they were not engaging in same-sex relationships or sexual behaviors.
46. OBU requested and received a religious exemption from Title IX by the U.S. Department of Education that purportedly allowed them to fire me from my campus job and dismiss me from my studies without any consequence or accountability.
47. OBU relies on this religious exemption to continue to maintain its discriminatory policies and cause severe harm to queer and trans students at OBU.
48. Bison 4 Equality participated in the #GiveBackIX campaign, attempting to protect queer and trans students by asking OBU to give back its Title IX exemption.

49. The campus community of OBU no longer feels safe because that community is segregated between those who are protected under the law (straight, cisgender students), and those who are not (queer and trans students).
50. I am a federal taxpayer and my taxes should not be spent furthering the discrimination against me by OBU.
51. I am currently in a relationship with a man. I would not be allowed to enroll at OBU because of my relationship status.
52. Current LGBTQ+ students at OBU are at immediate risk of anxiety, depression, disciplinary action and expulsion because of their LGBTQ+ identities and relationships.
53. Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed this 10th day of February, 2021.

By:


Tristan Campbell